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15. The signal lens as in claim 14, wherein the light emitting surface further comprises:

light transmitting elements each having a central axis and each inclined to the reflective surface at an angle greater than 0° and less than or equal to 45°.

IV. Remarks.

The Examiner entered the following rejection which is addressed as presented in the office action.

1. Claims 1-6 and 7-8 are rejected under 35 USC 103(a) as being unpatentable over Shankle et al (US patent 6,195,016).

Preliminarily, the rejection refers to Shankle et al. '016, however, the argument only refers to Veligdan et al. '679. On inspection, the numbers referred to in the office action could not be identified, or, they appeared to refer to both Shankle '016 and to Veligdan '679. More particularly, reflective surface 60 does not appear in either reference. Projector 26a appears in Veligdan '679 in Fig. 3. Array 24 appears in Shankle '016 in Fig. 3. It appears the "bundle" is depicted as 14 in Shankle '016 in Fig. 2. In order to advance the case, Applicant assumes that both references are presented to support the rejection. Applicant reserves the right to amend this response if this is not a proper interpretation of the Examiner's rejections.

In order to sustain a 103(a) rejection the reference or references must teach or suggest all of the claim limitations. Applicant respectfully asserts the references do not suggest or teach all of the claim limitations. Further, there must be some suggestion or motivation to modify the references. There must be an expectation of success for the suggested combination. Finally, the proposed modification cannot change the principle of operation of a reference.

As to claim 1, Applicant concurs with the Examiner that Veligdan does not disclose the light source between the reflective surface and the planar layer. Projector 26a projects an outbound beam 28 toward a flat mirror 32, col. 3, lines 22-29. Mirror 32 reflects beam 28 toward inlet face 22a. In the instant invention, reflective surface 12 distributes light to each end 17 of the fiber optic strands. There is no incentive to place projector 26a in front of mirror 32 since this renders the device non-functional. However, Applicant respectfully asserts that the Examiner's reliance on In re Japikse to cast the invention as simple rearrangement and thereby avoid the problem of changing the principle of operation is not appropriate. Japikse is not applicable because Japikse involved simply shifting a

position of a starting switch without modifying the operation of the invention.¹ In this case moving the Veligdan light source to a position between the mirror and the light transmitting elements would change the principle of operation of the device. In fact, it would render the Veligdan device inoperative if the light source is placed in the position claimed in the instant application since Veligdan teaches only a flat mirror. The projector would impede the reflection. Veligdan does not teach that the mirror 32 has any convex or concave form that would focus or diffuse a light beam.

Since the reference does not teach or suggest all the claim limitations and the principle of operation of the reference is changed, and there is no expectation of success of the proposed combination, Applicant requests the Examiner to withdraw his rejection of claims 1-6 on this basis. Claims 2-6 all ultimately depend from claim 1.

As to claim 2, Veligdan appears to teach an angle of greater than 45° as shown in Fig. 3, more particularly, see the relationship between mirror 32 and face 22a. Shankle does not teach light transmitting elements having a central axis inclined at an angle in the range of 0° to 45° to a reflective surface because an array of lenses 26 is arranged in a panel 24, col. 4, lines 42-44. Panel 24 is moveable with respect to an output panel 22 so that a viewing angle can be controlled, col. 4, lines 56-58. The light transmitting elements are not inclined to a reflective surface. Nor does Shankle teach a reflective surface. Hence, Shankle does not teach or suggest an angle of the light transmitting element central axis with respect to a reflective surface. Applicant requests the Examiner to withdraw the rejection of claim 2 on this basis.

As to claims 3-5, Applicant respectfully asserts, contrary to the Examiner's argument, in Veligdan Fig. 4 elements 38a, 38b, and 38c comprise sensors, col. 7, lines 1-4, not light sources. Further Veligdan only teaches a single light source per screen, col. 3, lines 33-38. Fig. 4 in Shankle depicts a single light source, col. 7, lines 2-7, not a plurality of light sources. In fact, both references teach away from a plurality of light sources because each reference teaches a device designed to handle an image created by a single source. ~~Plural light sources for a single image would be~~ redundant for both references, therefore the references do not teach or suggest all the claim limitations. Applicant requests the Examiner to withdraw the rejection of claim 3 on this basis. Claims 4 and 5 depend from claim 3.

As to claim 7, Veligdan does not teach fiber optic strand 14 nor lens 68, 70, 71. Shankle does not teach a reflective surface 12. Nor is there incentive to combine Shankle and Veligdan because combining the flat mirror of Veligdan with Shankle would require the light source of Shankle to be

¹ The *Japikse* court stated "As to that limitation it was held that there would be no invention in shifting the starting switch disclosed by Cannon to a different position *since the operation of the device would not thereby be modified.*" (emphasis added). In re *Japikse*, 86 USPQ 70, 73 (1950).

placed between the mirror and the light transmitting elements. This is not feasible because the light source 66 taught in Shankle is highly directional and would impede the reflection by its presence if placed in the claimed position. Directing a light beam in Shankle in any direction other than at the transparency 54 would defeat the purpose of the device and would necessarily diminish the light intensity which the device purports to create, col. 6, line 48 through col. 7 line 7. The references do not teach all of the claim limitations. Applicant requests the Examiner to withdraw the rejection of claim 7 on this basis.

As to claim 8, claim 8 has been cancelled without prejudice.

V. Fees.

Any fees payable for this amendment may be deducted from deposit account 07-0475 in the name of The Gates Corporation. However, Applicant respectfully asserts that the total number of claims including independent claims presented by this amendment does not require payment of additional fees.

Thank you for your attention to this case. If any questions arise, please call at the number below.

Sincerely,



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26683

PATENT & TRADEMARK OFFICE

Redlined Claim Serial No. 09/616,746

7. (Once amended) A lens comprising:

a reflective surface; and

a plurality of light transmitting elements arranged adjacent and parallel to each other to form a bundle describing a substantially planar layer; and

the reflective surface arranged substantially parallel to the planar layer whereby a light may be reflected from the reflective surface and received by at least one light transmitting element [fiber optic strand].